

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EMMIT GRIER JR.,

Plaintiff

V.

COMMONWEALTH OF PENNSYLVANIA  
EDWARD J. KLEM, SUPERINTENDENT  
SCI-MAHANAY, OFFICE OF THE  
DISTRICT ATTORNEY, ERIE COUNTY

## Defendants

C.A. No. 05-5 Erie

Magistrate Judge;  
Susan Paradise Baxter

## ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_ 2005 upon consideration of Plaintiff's motion and Brief requesting Summary Judgment, Pursuant to Fed. Rules Civ. Proc. 56 (c), it is hereby ADJUDGED DECREED and ORDERED that plaintiff's Motion for Summary Judgment is **GRANTED**.

BY THE COURT:

J.